

**SUPERIOR COURT OF WASHINGTON
COUNTY OF**

In re the Marriage of:

and

Petitioner,

Respondent.

NO.

**MOTION/DECLARATION FOR EX
PARTE RESTRAINING ORDER AND
FOR ORDER TO SHOW CAUSE
(MTAF)**

I. MOTION

Based upon the declaration below, the undersigned moves the court for a temporary order and order to show cause.

1.1 EX PARTE RESTRAINING ORDER.

A temporary restraining order should be granted without written or oral notice to the other party or the other party's lawyer because immediate and irreparable injury, loss, or damage will result before other party or the other party's lawyer can be heard in opposition. This order should restrain or enjoin:

- ☐ the ☐ husband ☐ wife from transferring, removing, encumbering, concealing or in any way disposing of any property except in the usual course of business or for the necessities of life and requiring each party to notify the other of any extraordinary expenditures made after the order is issued.
- ☐ the ☐ husband ☐ wife from molesting or disturbing the peace of the other party or of any child.
- ☐ [Name] from going onto the grounds of or entering the ☐ parties' shared residence ☐ residence of [Name].
[Name] waives confidentiality of the address which is [Address].
- ☐ the ☐ husband ☐ wife from going onto the grounds of or entering the home, work place or school of the other party or the day care or school of these children:

- ☐ the ☐ husband ☐ wife from knowingly coming within or knowingly remaining within (distance) of the home, work place or school of the other party or the day care or school of these children:
- ☐ the ☐ husband ☐ wife from removing any of the children from the state of Washington.
- ☐ the ☐ husband ☐ wife from assigning, transferring, borrowing, lapsing, surrendering or changing entitlement of any insurance policies of either or both parties whether medical, health, life or auto insurance.
- ☐ other:

The other party should be required to appear and show cause why these restraints should not be continued in full force and effect pending final determination of this action.

1.2 SURRENDER OF DEADLY WEAPONS.

- ☐ Does not apply.
- ☐ **(IF THIS BOX IS CHECKED, CLEAR AND CONVINCING REASONS FOR THIS REQUEST MUST BE PRESENTED IN PARAGRAPH 2.3 BELOW.)** The court should require the ☐ husband ☐ wife to surrender any deadly weapon in his or her immediate possession or control or subject to his or her immediate possession or control to the sheriff of the county having jurisdiction of this proceeding, to his or her lawyer or to a person designated by the court.

1.3 OTHER TEMPORARY RELIEF.

- ☐ Does not apply.
- ☐ The ☐ husband ☐ wife should also be required to appear and show cause why the court should not enter a temporary order which:
 - ☐ orders temporary maintenance.
 - ☐ orders child support as determined pursuant to the Washington State Child Support Schedule.
 - ☐ approves the parenting plan which is proposed by the ☐ husband ☐ wife.
 - ☐ makes each party immediately responsible for their own future debts whether incurred by credit card or loan, security interest or mortgage.
 - ☐ divides responsibility for the debts of the parties.
 - ☐ authorizes the family home to be occupied by the ☐ husband ☐ wife.
 - ☐ orders the use of property.
 - ☐ requires the ☐ husband ☐ wife to vacate the family home.
 - ☐ requires the ☐ husband ☐ wife to pay temporary attorney's fees, other professional fees and costs in the amount of _____ to:
 - ☐ appoints a guardian ad litem on behalf of the minor children.
 - ☐ other:

1.4 OTHER.

Dated: _____

Signature of Lawyer or Moving Party

Print or Type Name

II. DECLARATION

2.1 INJURY TO BE PREVENTED.

The ex parte restraining order requested in paragraph 1.1 above is to prevent the following injury
[define the injury]:

2.2 REASONS WHY THE INJURY MAY BE IRREPARABLE.

This injury may be irreparable because:

2.3 CLEAR AND CONVINCING REASONS WHY WEAPONS SHOULD BE SURRENDERED.

☐ Does not apply.

☐ The ☐ husband ☐ wife should be required to surrender any deadly weapons as requested in paragraph 1.2 above because of following clear and convincing reasons:

2.4 REASONS FOR A TEMPORARY ORDER.

☐ Does not apply.
☐ It is necessary that the court issue a temporary order with the relief requested in paragraph 1.3 above for the reason set forth below:

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at _____, on _____.
[City and State] [Date]

Signature

Print or Type Name

DO NOT ATTACH FINANCIAL RECORDS TO THIS DECLARATION. FINANCIAL RECORDS SHOULD BE SERVED ON THE OTHER PARTY AND FILED WITH THE COURT SEPARATELY USING THE SEALED FINANCIAL SOURCE DOCUMENTS COVER SHEET (WPF DRPSCU 09.0220). IF FILED SEPARATELY USING THE COVER SHEET, THE RECORDS WILL BE SEALED TO PROTECT YOUR PRIVACY (ALTHOUGH THEY WILL BE AVAILABLE TO THE OTHER PARTIES IN THE CASE, THEIR ATTORNEYS, AND CERTAIN OTHER INTERESTED PERSONS. SEE GR 22 (C)(2)).

III. EFFORTS TO GIVE OTHER PARTY NOTICE.

The following efforts have been made to give the other party or other party's lawyer notice and the following reasons exist why notice should not be required:

Dated: _____

Signature of Lawyer or Moving Party (if not
represented by a lawyer)

Print or Type Name